

MEMORANDUM

To: Judge Loyce L. Ryan
From: Rubbie N. King, Administrative Court Coordinator
Date: March 2, 2009
Re: Escrow Skip Docket

The Daily Escrow Skip List is a list of defendants that are identified as defendants that were ordered to report to LL-103, the Escrow Department of the General Sessions Criminal Court, to make payments and/or payment arrangements at the time cases are disposed of and they failed to do so. The Escrow Skip Docket will be taken from the Daily Escrow Skip List. These defendants will be notified to appear before a Judicial Commissioner to answer why they failed to comply with the order of the Courts. At that appearance, they will make payments and set up payment arrangements.

For purposes of this report, approximate numbers will be used in regards to the defendants. The report from which this information is gathered, tallies the number of defendants as individual cases. It does not differentiate the defendants with multiple offenses.

In an effort to increase the amount of funds collected, the Escrow Skips were identified as the highest volume of defendants generating further indebtedness to the County.

In January, 2009, approximately 1100 defendants left the Criminal Justice Center ("CJC") failing to report to the Escrow Department to make payments or payment arrangements. This represents \$772,366.01. In addition to those statistics, the Courts assessed in fines and costs, the amount of \$1,910,557.73. Of that amount, \$801,475.41 was reported collected.

In February, 2009, approximately 1300 defendants walked out of the CJC representing, \$784,185.41 uncollected dollars. The Courts assessed \$2,072,754.90. The Clerk's office collected *amount not available of that amount.

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In addition to the Escrow Skip Docket, the judges have been proactive in their attempts to satisfy the requests of the County Commissioners and the County Mayor in collecting monies owed. In July, 2008, the judges of General Sessions Criminal Court posted notices on the doors of their courtrooms advising the public and attorneys that (1) Costs are to be paid at the time charges are nolle prosequi or dismissed; and (2) In all

cases, regardless of whether or not money is owed for past fines, an amount equal to the fine is to be paid at the time the guilty plea is entered.

In addition to the posting, the Judges entered an En Banc Order on July 22, 2008, directing the District Attorney General to institute proceedings to collect the fines, costs, and litigation taxes as a civil judgment against any defendant who is in default in payment for at least six (6) months of fines, costs, and litigation taxes imposed by the General Sessions Criminal Court.

Funding in the amount of \$85,000 is being requested. Meetings have been held in an effort to work with the General Sessions Court Clerk's office, Criminal Division, Info systems, Jail Info Systems, Pre-Trial Services, the Shelby County Sheriff's office, Homeland Security and the Jail Administration on this project. These departments have been asked to submit their fiscal notes to provide a projected view of the dollars necessary to ensure success hoping to show a marginal profit gain in revenue. All agencies are on board to ensure the success of this program.

To initiate the Escrow Skip Docket, upon approval and funding, it is anticipated that the Escrow Skip Docket will be initially held six (6) times per month. The funding in the amount of \$85,000.00 is being requested in the General Sessions Criminal Court Judges' budget. These funds will hire a new Judicial Commissioner. Also, this will allow for the current part time commissioner to be made full time.